

## REMARKS

The application has been amended by means of an examiner's amendment responsive to a telephone interview with the undersigned attorney on August 4, 2004, and a Notice of Allowance has been mailed to the applicant. In the examiner's amendment, claims 1, 5, 9, 11-22 and 30-45 were allowed, claims 2-4, 6-8, 10-12, and 23-24 were canceled, and claims 25-29 were canceled without prejudice.

### **A "Record of Substance of Interview" is submitted as follows:**

On May 20, 2004 the examiner telephoned the undersigned attorney and indicated that in view of the applicant's response to the first Office Action she considered the applicant's declaration and arguments regarding patentability of the invention over the prior art to be convincing, but she also indicated that the claims generally were excessively broad, to the point of being unsupported by the disclosure. The examiner indicated generally what she thought the deficiencies of the claims were. The examiner indicated she would be willing to amend the application by an examiner's amendment if acceptable claim language could be agreed upon.

On July 20, 2004, the undersigned attorney faxed to the examiner a memorandum regarding the foregoing telephone conversation along with a set of proposed amended claims. On July 26, 2004, the undersigned attorney spoke briefly with the examiner by telephone, discussing the status of the faxed claims. On August 1, 2004 the examiner e-mailed a draft of a

Aug 19 04 09:00a Charles Hoffman

928 443 0570

p. 4

Sent by: CAHILL vonHELLENS and GLAZER PLC6029564298;

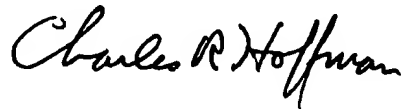
08/19/04 9:12AM; JetFax #857; Page 4/4

proposed examiner's amendment to the undersigned attorney. Over the next few days the undersigned attorney spoke with the examiner by telephone several times regarding the claim language in proposed amendments e-mailed by the undersigned attorney to the examiner. The main thrust of the examiner's comments was that the claims did not yet adequately define the invention as explained in the applicant's declaration and as described in the applicant's arguments set forth in the response to the first Office action. The undersigned attorney generally agreed, and modified the proposed claims accordingly. The last draft of proposed claims e-mailed to the examiner was dated August 3, 2004. On August 4, 2004 the undersigned attorney also spoke with the examiner, and agreed to a few more changes to the claim language to be provided in the examiner's amendment.

The courtesy extended by the examiner to the undersigned attorney and the examiner's helpful comments enabling the undersigned attorney to better define the invention are appreciatively acknowledged.

Respectfully submitted,

CAHILL, VON HELLENS & GLAZER P.L.C.



Charles R. Hoffman  
Registration No. 26,556

2141 East Highland Avenue  
155 Park One  
Phoenix, Arizona 850016  
(602) 956-7000  
Docket No. 4969-A-07